

KAISER SAURBORN & MAIR, P.C.

USDC SDNY

COUNSELORS AT LAW

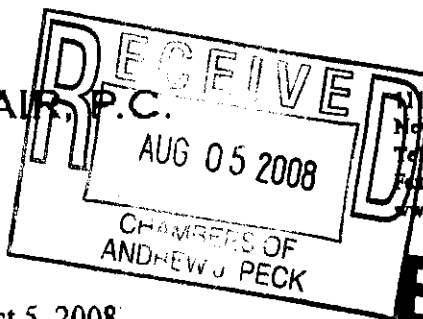
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DATE FILED: 8/5/08

August 5, 2008



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BY FAX

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AND REGULAR MAIL

The Honorable Andrew J. Peck

United States Magistrate Judge

United States Courthouse

500 Pearl Street, Room 1370

New York, New York 10007

MEMO ENDORSED 8/7/08

Approved.

SO ORDERED:

[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge

Pignatari v. Kimberly-Clark Corporation

08 Civ. 6534 (BSS/AJP)

Dear Judge Peck:

We have recently appeared on behalf of the plaintiff, Ricardo Pignatari, in the above-referenced matter.

As Your Honor will be presiding over discovery in this case, I respectfully request 30 days with which to file an Amended Complaint on behalf of plaintiff. Although issue is not yet joined and plaintiff may amend as a matter of right, we wish to file the Amended Complaint prior to the filing of any substantive motions by the defendant.

I have not yet been contacted by counsel for defendant, and therefore I have copied defendant's in-house counsel on all communications to the Court. I have had no direct communications with any representative of defendant.

I thank the Court for its attention to this matter.

Respectfully submitted,

[Signature]
William H. Kaiser

WHK/ho

cc: John Wesley, Esq.
Kimberly-Clark Corporation
Legal Department
BY FAX (972-281-1236)

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

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Dated: August 5, 2008

Total Number of Pages: 2

TO	FAX NUMBER
William H. Kaiser, Esq.	212-338-9088
John Wesley, Esq.	972-281-1236

TRANSCRIPTION:

MEMO ENDORSED 8/5/08

Approved.

Copy to: Judge Barbara S. Jones